

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,
and Bernard L. Madoff,

Plaintiff,

v.

RAFAEL MAYER, DAVID MAYER,
MONTPELLIER INTERNATIONAL LTD.,
PRINCE ASSETS LTD. (f/k/a PRINCE ASSETS
LDC), KHRONOS GROUP LTD. (f/k/a
MONTPELLIER RESOURCES LTD.), PRINCE
RESOURCES LDC, MONTPELLIER USA
HOLDINGS LLC, PRINCE CAPITAL
PARTNERS LLC, and KHRONOS LIQUID
OPPORTUNITIES FUND LTD.

Defendants.

Adv. Pro. No. 20-01316 (CGM)

**STIPULATION AND ORDER TO
FILE CERTAIN DOCUMENTS UNDER SEAL**

Irving H. Picard, as trustee (the “Trustee”) for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa-III (“SIPA”) and the substantively consolidated chapter 7 estate of Bernard L. Madoff, , by

and through his counsel; and non-party Khronos LLC (“Khronos”), by and through their counsel, (together with the Trustee, the “Stipulating Parties”), hereby stipulate and agree as follows:

WHEREAS, on June 6, 2011, a Litigation Protective Order (the “LPO”) was entered in *Sec. Inv’r Prot. Corp. v. Bernard L. Madoff Inv. Sec. LLC*, Adv. Pro. No. 08-01789 (CGM) governing the main action and adversary proceedings relating thereto;

WHEREAS, Paragraph 15 of the LPO provides that materials designated as “Confidential” may only be filed with the Court under seal either by “mov[ing] for an order to file under seal or obtain[ing] a stipulation from the producing party to file the material under seal”;

WHEREAS, in opposition to Defendant Khronos Liquid Opportunities Fund Ltd.’s Motion to Dismiss (ECF No. 17), the Trustee seeks to file with the Court information relating to documents Khronos produced and designated as “Confidential” (the “Confidential Material”);

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED BY AND AMONG THE STIPULATING PARTIES:

1. The Trustee is authorized to file the Confidential Material in redacted form and under seal.
2. The purpose of this Stipulation is to permit the Trustee to file the Confidential Material without further order of this Court, pursuant to paragraph 15 of the LPO.
3. The Trustee shall promptly provide the Court and Defendants with unredacted versions of the Confidential Material filed.
4. The Stipulating Parties reserve all rights, including without limitation the right to challenge at a later time the designation of documents as “Confidential,” or to oppose any such challenge.

STIPULATED AND AGREED.

Dated: May 4, 2021
New York, New York

/s/ Oren J. Warshavsky

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*Attorneys for Irving H. Picard, Trustee
for the Substantively Consolidated SIPA
Liquidation of Bernard L. Madoff
Investment Securities LLC and the chapter 7
estate of Bernard L. Madoff*

/s/ Lindsay A. Bush

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Attorneys for Khronos LLC

SO ORDERED.

**Dated: May 5, 2021
Poughkeepsie, New York**



/s/ Cecelia G. Morris

**Hon. Cecelia G. Morris
Chief U.S. Bankruptcy Judge**